

Chairman Phil Mendelson  
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to approve Modification Nos. 15, 16, and 17 to Contract No. DCKA-2017-C-0047 with First Choice Masonry, Inc. to provide construction and related services for the installation of bicycle and pedestrian facilities to the Department of Transportation and to authorize payment for the goods and services received and to be received under the modifications.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Modification Nos. 15, 16, and 17 to Contract No. DCKA-2017-C-0047 with First Choice Masonry, Inc. Approval and Payment Authorization Emergency Declaration Resolution of 2023”.

Sec. 2. (a) There exists an immediate need to approve Modification Nos. 15, 16, and 17 to Contract No. DCKA-2017-C-0047 with First Choice Masonry, Inc. to provide construction and related services for the installation of bicycle and pedestrian facilities to the Department of Transportation and authorize payment for the goods and services received and to be received under the modifications.

(b) By Modification No. 15, dated February 21, 2023, the Office of Contracting and Procurement, on behalf of the Department of Transportation, exercised a part of

35 option year 4 of Contract No. DCKA-2017-C-0047 for the period February 27, 2023  
36 through May 28, 2023 in the not-to-exceed amount of \$999,000.

37 (c) By Modification No. 16, dated May 15, 2023, the Office of Contracting and  
38 Procurement, on behalf of the Department of Transportation, exercised another part of  
39 option year 4 of Contract No. DCKA-2017-C-0047 for the period May 29, 2023 through  
40 August 25, 2023 at no cost to the District.

41 (d) Modification No. 17 is now necessary to exercise the remainder of option  
42 year 4 for the period August 26, 2023 through February 26, 2024 in the not-to-exceed  
43 amount of \$964,602.55, thereby increasing the total not-to-exceed amount of option year  
44 4 to \$1,963,602.55.

45 (e) Council approval is required by section 451(b) of the District of Columbia  
46 Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-  
47 204.51(b)) since the contract will be in excess of \$1 million during a 12-month period.

48 (f) Approval on an emergency basis is necessary to allow the timely continuation  
49 of these vital services. In addition, without this approval, First Choice Masonry, Inc.  
50 cannot be paid for goods and services provided in excess of \$1 million for the contract  
51 period February 27, 2023 through February 26, 2024.

52 Sec. 3. The Council determines that the circumstances enumerated in section 2  
53 constitute emergency circumstances making it necessary that the Modification Nos. 15,  
54 16, and 17 to Contract No. DCKA-2017-C-0047 with First Choice Masonry, Inc.  
55 Approval and Payment Authorization Emergency Act of 2023 be adopted after a single  
56 reading.

57 Sec. 4. This resolution shall take effect immediately.